



ATTORNEY'S DOCKET NO: W0543/7036

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Rhyne et al.

Serial No:

10/023,209

Confirmation No.:

2655

Filed:

© December 18, 2001

For:

COVER/PAN PACKAGING

Examiner:

Not Yet Assigned

Art Unit:

3728

### **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on March 15, 2002.

Colleen Snyder

COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- 1. Information Disclosure Statement;
- 2. Form PTO-1449 and References; and
- 3. Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is due. If it is determined that a fee is due, it may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Rhyne et al., Applicant

Randy J. Pritzker, Reg. No. 35,986

Kristin D. Wheeler, Reg. No. 43,583

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza 600 Atlantic Avenue

Boston, MA 02210

Tel. (617) 720-3500

Docket No. **W0543/7036**Date: March /5, 2002

**x03/18/02** 592360.1

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Colleen Snyder

COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

# PART I: Compliance with 37 C.F.R. § 1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application and before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

# PART II: - Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

# EST AVAILABLE COPY

Art Unit: 3728

### PART III: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- 1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- 2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- 3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted. Rhyne et al., Applicant

Randy J. Pritzker, Reg. No. 35,986 Kristin D. Wheeler, Reg. No. 43,583 Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, MA 02210

Telephone (617) 720-3500

Docket No. W0543/7036 Dated: March 15, 2002 x03/18/02